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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,850	03/21/2001	Satoshi Iwata	122.1446	1447

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EXAMINER
BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
2153	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/812,850	IWATA ET AL.
	Examiner	Art Unit	
	YASIN M. BARQADLE	2153	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 December 2007</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>2-3,6-20 and 23-26</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☐ Claim(s) _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on December 06, 2007 has been entered.

Response to Amendment

2.   The amendment filed on December 06, 2007 has been fully considered but are not

deemed persuasive in view of the new grounds of rejection.

- Claims 21 and 22 have been withdrawn.
- Claim 13 has been cancelled.

Response to Arguments

Applicant's arguments regarding the 112 rejection of claim 25 is not persuasive. Applicant points

out that the limitation of "with each layer mutually exclusive with respect to other layers of the

hierarchical data." is taught on page 14, line 4 to page 15, line 8 with reference to fig. 9 (page 9

second paragraph). Applicant did not explain how a one sentence limitation is taught in one page

and half. Applicant should state what he interprets as each layer being mutually exclusive with

respect to other layers in page 14 to pages 15 and fig. 9. Therefore, the 112 rejection is

maintained.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 25 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written

description requirement. The claim(s) contains subject matter which was not described in the

specification in such a way as to reasonably convey to one skilled in the relevant art that the

inventor(s), at the time the application was filed, had possession of the claimed invention. The

limitation of "with each layer <u>mutually exclusive with respect to other</u> layers of the hierarchical

data," is not defined in the specification as originally filed. No mention of "… <u>mutually

exclusive with respect to other</u> layers…" or its equivalent is found in the specification.

Claim Objections

Claim 13 is objected to because of the following informalities: claim 13 seems to be a

canceled claim. Portion of the cancelled claim remains, appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims 2-3, 6-7, 12, 15-20 and 23-26, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi U.S. Patent (6633759) in view Kikinis (6553410) further in view of Sachs et al (U.S. Patent Number 5,956,034), hereinafter "Sachs")

In referring to claims 23-26,

- A portable server division, that can be carried in a container by a user:

  Kobayashi, Fig. 9 shows a portable server division 1, which can be carried in a container (i.e. *"a briefcase") by a* user

  - The portable server division transmitting and receiving book-type contents having page-by-page information containing at least either images or characters:

    *"The software referred to herein includes, in case of the PC 1, application software installed in the PC 1, **such** as word processing software"* (Kobayashi, col. 4, lines 34-36)

  - A portable viewer division, that can be carried by the user carrying said **portable** server division, for displaying said book-type contents transmitted from said server division page by page: Kobayashi, Fig. 9 shows a portable viewer division 2

Although Kobayashi shows substantial features of the claimed invention including processing the data sent from the PC 1 to the cellular phone 2 by changing the character font or removing unnecessary data in accordance with the size of the screen of the cellular phone 2 (col. 11, lines 1-2). Kobayashi is silent as to how an image data is transferred from the server (notebook pc) to the client (cellular phone). Kobayashi does not explicitly show means of converting the data to be displayed into a new format. Nonetheless this feature is well

known in the art and would have been an obvious modification to the system disclosed by
Kobayashi as evidenced by Kikinis.

In analogous art, Kikinis discloses tailoring data and transmission protocol for efficient
interactive data transactions over wide-area networks. A person of ordinary skill in the art
would have readily recognized the desirability and advantages of modifying the system of
Kobayashi so as to run the proxy server software on the server, such as taught by Kikinis, in
order to take advantage of the faster network capabilities of the notebook PC and format the
data for display on a smaller screen while browsing the Internet.

Although Kobayashi and Kikinis show substantial features of the claimed invention including
processing the data sent from the PC 1 to the cellular phone 2 by changing the character font or
removing unnecessary data in accordance with the size of the screen of the cellular phone 2 (col.
11, lines 1-2) and formatting the transmitted data. Kobayashi and Kikinis do not explicitly show
displaying a full page and compressed data decompressing function that decompresses an
intermediate data file, in which a page constitutes a unit. Nonetheless this feature is well known
in the art and would have been an obvious modification to the system disclosed by Kobayashi as
evidenced by Sachs

In analogous art, Sachs discloses a portable viewer (32, fig. 1) that can display a full page
of a content book and compressed data decompressing function that decompresses an
intermediate data file, in which a page constitutes a unit (fig. 3A and 3B; col. 8, lines 15-26
and col. 11, lines 30-37). A person of ordinary skill in the art would have readily
recognized the desirability and advantages of modifying the system of Kobayashi in order
to be able to view the full content of page and compress a large data so that it can be easily
transferred to another system over a network..

Sachs further teaches wherein after said compressed intermediate data file has been
transferred, said transferred compressed image is expanded by said compressed data
decompressing function at said viewer division (The process S248 reformats the
page and displays col. 8, lines 15-26 and col. 11, lines 30-37. see col. 12, lines 30-59).

Sachs show where the intermediate data file is configured to have contents which are layered
and the data is compressed (Sacks teaches downloading compressed page, decompressing it and
displaying the layered content of the page (see fig. 3A to 4E and col. 8, lines 15-26 and col. 11,
lines 30-37); with each layer mutually exclusive with respect to other layers of the hierarchical
data (see fig. 3A-3B and 4H).

In referring to claim 2,

The viewer division comprises,

- A display panel for displaying said book-type contents page by page and a display
  memory for storing page-by-page information that is to be displayed on said display
  panel:

  Kobayashi, Fig. 4 shows a display panel 43 on the viewer division

- A first wireless interface module:

  Kobayashi, Fig. 4 shows a first wireless interface module 30 on the viewer division

- A first battery for supplying power to said display panel and said display memory:
  Kobayashi, Fig. 9 shows the viewer division is a cell phone, which includes *"a battery
  checking function "* (Kobayashi, col. 3, lines 17-18)

The server division comprises,

- A disk for storing said book-type contents; a computer processing unit for creating
  page-by-page information from said book-type contents stored in said disk:

  Kobayashi, Fig. 3 shows the application(s) 27 are stored in memory; Kobayashi, Fig. 2
  shows a computer processing unit 17

- A second wireless interface module for performing wireless communications with said
  first wireless interface module of said viewer division:

  Kobayashi, Fig. 2 shows a second wireless interface module 7

- A second battery for supplying power to said disk, said second wireless interface module and said computer-processing unit:

  A portable computer that is able to operate while in a briefcase inherently implies a battery

In referring to claim 3, Kobayashi in view of Kikinis shows,
- Said means for converting converts a data file having at least one of a document layout, document information, character information and image information into the intermediate data file formed by part of information in an image wherein said means for transferring transfers the intermediate data file so converted to said viewer division: Kikinis, Fig. 4 shows converting an HTML file (from step 89) into a new layout as an HTL file (in step 99) and sending said HTL file over the wireless interface in step 105.
- Said viewer division displays a page-by-page image by describing the intermediate data File: Kikinis, Fig. 4 shows displaying the page-by-page image in step 107.

Claim 6, Kobayashi in view of Kikinis shows,
- Said intermediate data file is constituted by a plurality of subdivisions, whereby said intermediate data file is sequentially transferred subdivision by subdivisions in transferring images:

  *"In various embodiments of the present invention, hand-held devices with CPUs having an ability to run at from 0.001 to 0.05 MIPs can serve as WEB browsers; displaying WEB pages and allowing users to initiate on-screen links **and to input data into input** fields."* (Kikinis, col. 8, lines 34-38)

  The intermediate data files allow the users to initiate on-screen links and are therefore constituted by a plurality of hierarchies
- Said viewer division describes said intermediate data file in said display memory every time said intermediate data is transferred thereto:

  Kikinis, Fig. 4 shows displaying the intermediate data file in step 107.

In referring to claim 7, Kobayashi in view of Kikinis shows,

- Said intermediate data file is configured by layering character information of original image information in accordance with the size of character font, so that priority in transfer is granted to intermediate data files in which larger-sized characters are layered: The system of Kikinis translates an HTML file to HTL inherently implying layering character information of original image information in accordance with the size of character font

In referring to claim 12, 18 and 20 (as understood), Sachs shows,

Said portable viewer division has a compressed data decompressing function, wherein a page image in which a page constitutes a unit is data compressed at said portable server division: (fig. 3A-$E; col. 8, lines 15-26 and col. 11, lines 30-37); viewer division has a compressed data decompressing function, wherein an intermediate data file in which a page image, in which a page constitutes a unit, is layered is data compressed at said server division, wherein after said compressed intermediate data file has been transferred, said transferred compressed image is expanded by said compressed data decompressing function at said viewer division (Sachs fig. 3A-$E; col. 8, lines 15-26 and col. 11, lines 30-37. See col. 3,lines 39-67).

- After transferring said compressed image, said transferred compressed image is expanded for display by said compressed data decompressing function at said viewer division. (Sachs fig. 3A-$E; col. 8, lines 15-26 and col. 11, lines 30-37).

In referring to claim 15, Kobayashi in view of Kikinis shows,

- Said viewer division has its own specific identification number, wherein said identification number is registered in advance in said server division:
  *"At step 61 **the user** logs on **by** entering a **user name** and password and **the** field unit identifies itself **with** its ID. At step **63 the** Proxy-Server compares **the entered password***

*and ID **with** stored records, and derives a **signature** for **the unit.** At step 65 the Proxy-Server decides **whether the information** is correct. "* (Kikinis, col. 10, lines 47-52)

- Said identification number is described in an intermediate data file, whereby when the identification number of an intermediate data file sent to said viewer division coincides with the identification number that said viewer division possesses, the data is described in said display memory:

*"If **the Log-On** is valid, **control** passes to step 67, and **the Proxy-Server acknowledges the successful log-on** to the hand-held unit at step 69. "* (Kikinis, col. 10, lines 52-54)

In referring to claim 16 (as understood), Kobayashi in view of Kikinis shows,
- Said viewer division has its own specific identification number, wherein said identification number is registered in advance in said server division:

   Kikinis, col. 10, lines 47-52 (see full quote above)

- Said identification number is described in an intermediate data file, whereby when the identification number of an intermediate data file sent to said viewer division coincides with the identification number that said viewer division possesses, hierarchical data on a lower layer is described in said display memory:

   Kikinis, col. 10, lines 52-54 (see full quote above)

In referring to claim 17 (as understood), Kobayashi in view of Kikinis shows,
- A signal comprising the identification number of said viewer division is transmitted from said viewer division to said server division:

   Kikinis, col. 10, lines 47-52 (see full quote above)

- When said signal is received at said server division, said signal is collated with the identification number of a viewer registered therein and wherein when said collation determines that said identification numbers coincide with each other, a publication signal is described in an intermediate data file:

*"An ID match when connecting a hand-held unit to the Proxy-Server provides the Proxy-Server with information about the hand-held unit, such as CPU type and power, screen size, type and resolution, presence of a pointer device, and **sound capability**."* **(Kikinis**, col. 8, lines 15-19)

Kikinis, col. 10, lines 52-54 (see full quote above)

In referring to claim 19 (as understood), Kobayashi in view of Kikinis shows,

- A signal comprising the identification number of said viewer division is transmitted from said viewer division to said server division:

   Kikinis, col. 10, lines 47-52 (see full quote above)

- When said signal is received at said server division, said signal is collated with the identification number of a viewer registered therein and wherein when said collation determines that said identification numbers coincide with each other, a publication signal is described in an intermediate data file:

   Kikinis, col. 8, lines 15-19 (see full **quote above), Kikinis,** col. 10, lines **52-54** (see full quote above)

   Claim 9 (as understood) is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi in view of Kikinis and Sacks and in further view of Helfman (U.S. Patent Number 6,119,135, hereinafter "Helfman"). Although Kikinis in view of Nguyen shows substantial features of the claimed invention, Kobayashi in view of Kikinis does not explicitly show priority in transfer is given to intermediate data files on said subdivisions of image portions. Nonetheless this feature is well known in the art and would have been an obvious design choice for the system disclosed by Kobayashi in view of Kikinis and Sacks as evidenced by Helfman.

In analogous art, Helfman discloses a method for passively browsing the Internet using images extracted from web pages. Helfman shows: *"The system maintains a mapping list that maps **the universal resource** locator (URL) of **the displayed web page** images to **the** URL of **the web** page **containing those** images. **When** a **user** selects a **displayed** image, **the user's**

browser *is **driven** to **the** associated **web page,** so **that the** user **can view the web** page **in its**

entirety." (Helfman, col. 1, lines 42-47)

    Given these teachings, a person of ordinary skill in the art would have readily recognized the

desirability and advantages of modifying the system of Kobayashi in view of Kikinis and Sachs

so as to transfer an image of a web page before the text, such as taught by Helfman, in order to

preview a web page without fully downloading the pages data.

    Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi in view

of Kikinis and Sachs and in further view of Kunkel et al. (U.S. Patent Number 6,477,579,

hereinafter "Kunkel"). Although Kobayashi in view of Kikinis shows substantial features of the

claimed invention, Kobayashi in view of Kikinis does not show the viewer writes in said display

memory for each address which is a certain interval away from a transferred intermediate data

file. Nonetheless this feature is well known in the art and would have been an obvious

modification to the system disclosed by Kobayashi in view of Kikinis and Sachs as evidenced

by Kunkel.

In analogous art, Kunkel discloses an access system and method for providing interactive access

to an information source through a networked distribution system. Kunkel shows storing HTML

data from the hyperlinks in the current web page: "In the operation of the channel hyperlinking

system 10, each of the headends 14 preferably pre-caches from the ISP 30, the HTML data

pertaining to the channel hyperlinks associated with upcoming programming prior to the

broadcasts, and stores this information in the cache 31. " (Kunkel, col. 12, lines 45-49)

Given these teachings, a person of ordinary skill in the art would have readily recognized the

desirability and advantages of modifying the system of Kobayashi in view of Kikinis and Sachs

so as to pre-cache data that is an interval away from the intermediate data file, such as taught by

Kunkel, in order to speed up the response to an activated link.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi in view of

Kikinis and in further view of Marmor (U.S. Patent Number 6,601,108, hereinafter "Marmor").

Although Kobayashi in view of Kikinis shows substantial features of the claimed invention,

including the system of claim 6 (see 103 rejection above), Kobayashi in view of Kikinis and

Hindricks do not show said intermediate data file is configured by converting character information into a binary image. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Kobayashi in view of Kikinis as evidenced by Marmor.

In analogous art, Marmor discloses an automatic conversion system. Marmor shows said intermediate data file is configured by converting character information into a binary image: "In *a preferred* embodiment of the invention, data from the server which cannot normally be displayed on the client is converted, by the automatic converter, into image files for display on the client. Preferably, text data for which there is no available font on the client is converted in image data, for example GIF format data."(Marmor, col. 5, lines 8-13)

Given these teachings, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of Kobayashi in view of Kikinis and Hindricks so as to convert character information into a binary image, such as taught by Marmor, in order to allow the client to display characters from an unsupported character set.

2.   Claim 14 (as understood) is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi in view of Kikinis and Sachs and in further view of Betts (U.S. Patent Number 4,734,920, hereinafter `Betts"). Although Kobayashi in view of Kikinis shows substantial features of the claimed invention, including the system of claim 3, Kobayashi in view of Kikinis and Sachs does not show a plurality of said wireless interface modules. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Kobayashi in view of Kikinis as evidenced by Betts.

In analogous art, Betts discloses a high speed modem for multiple communication circuits. Betts, Fig. 1 shows a plurality of line interfaces on the client side (30, 34) and on the server side (35, 36).

Given these teachings, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of Kobayashi in view of Kikinis and Sachs so as to have a plurality of said wireless interface modules, such as taught by Betts, in order to provide a high speed connection using multiple slow communication connections.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained form the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR system. Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Yasin M Barqadle/
Examiner, Art Unit 2153